



2020 Amended & Adopted Interim Study Items

Public Utilities, Energy, and Technology Interim Committee | June 17, 2020

The Legislative Management Committee (LMC) assigned the following items to the Public Utilities, Energy, and Technology Interim Committee (PUETIC) to study during the 2020 legislative interim. The information under the “description” column is provided in consultation with the person(s) submitting the item and does not represent direction from the LMC. The four highlighted items were added to the committee’s LMC-assigned study items list in accordance with [JR7-1-401](#) during the PUETIC’s first meeting of 2020; the amended list was then adopted by the PUETIC.

Direct relationship to pandemic or pandemic recovery	Name	Description	Requestor(s)	Related Documents/Notes
Yes	Support for Maintaining Strong Infrastructure and Virtual Networks throughout the Pandemic	<ul style="list-style-type: none">• Status update on sewer lines and septic systems impacts• “Essential workers” designation for public utilities employees and internet service providers (ISPs)<ul style="list-style-type: none">▪ Nexus with Utah’s Energy Emergency Plan and Energy Emergency Powers of the Governor Act, and other parts of the Emergency Management Act	PUET Chairs, Stakeholders	Title 53, Chapter 2a
Yes	Utah’s Energy Industry and COVID-19	<ul style="list-style-type: none">• Follow up with investor-owned utilities, municipal utilities, and cooperatives on status of waivers of customer service suspension and termination.• Follow-up on evaluating utilities’ load impacts due to forbearance, teleworking, and	PUET Chairs, Stakeholders, Regulators	Utah Code Sections 53-2a-902 and 53-2a-1001

		<p>any considerations for future rate-making.</p> <ul style="list-style-type: none"> • Receive status updates from stakeholders and regulators on impacts to demand, supply, and labor concerning weakening markets • Discuss potential solutions, including reducing regulations on oil, gas, and mining, and analysis related to Utah's Energy Emergency Plan and Energy Emergency Powers of the Governor Act 		
Yes	Utah's Telecommunications Industry and COVID-19	<ul style="list-style-type: none"> • Receive a status update from ISPs that operate in Utah and Utah's regulated public utilities telecommunications providers that have signed the Federal Communications Commission's "Keep Americans Connected" pledge (waivers of customer service suspension and termination, etc.) 	PUET Chairs	FCC's Keep Americans Connected Initiative
Yes	Public Utilities Consumers & COVID-19	<ul style="list-style-type: none"> • Receive a status update on Utah's public utilities small commercial and residential consumers: low-income and vulnerable populations, consumer complaints, pandemic scams 	PUET Chairs	N/A

		https://www.fcc.gov/covid-scams), etc.		
No	Earthquake Preparation	<ul style="list-style-type: none"> Study best practices for earthquake preparation for Utah's utilities and virtual network infrastructures 	Chair Albrecht	N/A
No	<p>1) A Performance Audit of the Utah Communications Authority and Statewide 911 Operations (LAG)</p> <p>2) 2019 Matrix Consulting Audit on SLC 911</p>	<p>1) For each recommendation to the Legislature, the Legislative Audit Subcommittee asks that the PUET Interim committee, in collaboration with other assigned committees, reach one of the following conclusions, or some combination of the three, by a motion and a vote:</p> <ul style="list-style-type: none"> Draft legislation for the next legislative general session, if applicable; Conclude that the issues are significant but that more time is needed to develop solutions and consensus; or Conclude that there is insufficient committee support to study the issues further. <ul style="list-style-type: none"> In addition, for other (non-legislative) recommendations, we ask that as part of your oversight role you determine whether appropriate action is 	<p>1) Legislative Audit Subcommittee</p> <p>2) George Chapman (requested during HPUET's hearing of LAG Audit Report 2019-15 during 2020 GS)</p>	<p>1) LAG Audit Report #2019-15; 2020 SB 130</p> <p>2) SLC 911 Audit</p>

		<p>being taken to address the audit findings.</p> <ul style="list-style-type: none"> We ask that you report back to the Legislative Audit Subcommittee the conclusion(s) reached by your committee with a summary of the reasons for reaching this (these) conclusion(s). <p>2) Receive update on tangentially-related item concerning 2019 SLC 911 audit findings</p>		
Undetermined	Digital Opportunity Access Amendments	<ul style="list-style-type: none"> Convene stakeholders to examine how to best break down barriers and disparities to comprehensive and robust access to the internet in order to mitigate issues that contribute to intergenerational poverty. 	Rep. Dailey-Provost	2020 HB 385
No	Status of public utilities' data sharing practices with their customers	<ul style="list-style-type: none"> Study including efforts toward digital integration of customers' utility data, engaging all electric and natural gas utility sectors in Utah (municipal utilities, cooperative utilities, and investor-owned utilities) and their differing classes of customers (residential, small commercial, industrial, and state government) 	Rep. Handy	2020 HB 320

Undetermined	Data Privacy	<ul style="list-style-type: none"> Study and strengthen Utah's current data privacy laws 	Rep. Spendlove	N/A
No	Stray Current and Voltage Impacts to Livestock Review	<ul style="list-style-type: none"> By November 2020 and in three year intervals thereafter, the Public Utilities, Energy, and Technology Interim Committee shall review industry standards and peer reviewed research regarding levels of stray current and voltage and impacts to livestock. 	Enacted by 2018 HB 318 (Rep. Handy, Sen. Weiler)	Utah Code Section 54-22-204
No	Limiting local control over imposing natural gas bans	<ul style="list-style-type: none"> Study Arizona legislation, signed into law February 21, 2020, that prohibits local governments from adopting measures that would ban natural gas hook-ups in new buildings 	Rep. Handy	2020 AZ-HB 2686
No	Utah's energy portfolio policies	<ul style="list-style-type: none"> Study Utah's current energy portfolio policies for interlocal utilities (municipal utilities), electric cooperatives, and investor-owned utilities (large-scale electric utilities); potential to explore the range of energy portfolio policy options, from those that target emissions-reduction to renewable portfolio standards 	Rep. Ward	2020 HB 194
Undetermined	Renewable energy transmission and regional markets	<ul style="list-style-type: none"> Study topics related to renewable energy, including renewable energy 	Nate Blouin, Interwest Energy Alliance	N/A

		transmission and regional markets.		
Undetermined	Update on rail and transportation of fuel	<ul style="list-style-type: none"> Receive an update on rail and the transportation of fuels in the Uintah Basin area 	Chair Winterton	N/A
No	Interim Rate procedure for an Energy Balancing Account process	<p>Background:</p> <ul style="list-style-type: none"> When Rocky Mountain Power-PacifiCorp (RMP) was approved for an electrical balancing account (EBA), the Public Service Commission (PSC) allowed for an “interim rate” procedure. Under this procedure, RMP could file its annual EBA report and then propose a new “interim” rate based on the difference between estimated and actual costs in the report. Consumer groups challenged the PSC’s orders and argued that the PSC lacked authority to impose interim rates in the EBA process. The Utah Supreme Court agreed that the PSC lacked authority, concluding that while an interim rate is allowed in the process of setting a general rate, it is not permitted by statute for the EBA process. Furthermore, the Court set aside the PSC’s orders because the PSC’s interim 	Judiciary Interim Committee referral	<p><i>Utah Office of Consumer Services v. Public Service Commission of Utah</i>, 2019 UT 26, 445 P.3d 464.</p> <p>PUETIC’s June 17, 2020 meeting materials from Judiciary Interim Committee staff: Items 2B and 2C</p>

		<p>rate process provided a different burden of proof than in statute for the EBA process.</p> <ul style="list-style-type: none"> In the majority opinion, Justice Thomas Lee stated, “We decide only that the current statutory scheme does not condone the interim rate process as it now stands. <u>And we leave it to the legislature, if it so chooses, to reopen the governing statutes to expressly authorize an interim rate procedure as an element of the EBA process.</u>” 		
Undetermined	Electric Vehicle Infrastructure Update	<ul style="list-style-type: none"> Receive a status update from Rocky Mountain Power on the recently approved investments to establish electric vehicle infrastructure throughout the state 	Rep. Christiansen	2020 H.B.396, Electrical Vehicle Charging Infrastructure Amendments